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FILED
Clerk
District Court

FEB 23 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

Attorney for Defendant Ana Demapan-Castro

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

HENRY S. HOFSCHEIDER) CIVIL ACTION NO. 04-0022
)
Plaintiff)
)
v.) STATEMENT OF UNDISPUTED FACTS
)
ANA DEMAPAN-CASTRO)
)
Defendant.) Date: March 30, 2005
)
_____) Time: 9:00 a.m.

1. The Marianas Public Lands Authority ("MPLA") was an instrumentality of the Commonwealth of the Northern Mariana Islands ("CNMI" or "NMI").
2. MPLA was established under the control and general supervision of a Board of Directors to execute, implement and enforce the policies, decisions, orders, rules and regulations of the Board.
3. MPLA had a Commissioner who reported to the Board.
4. The MPLA Commissioner served at the pleasure of the Board.
5. Henry S. Hofschneider worked as MPLA Commissioner from on or about November,

2002 until on or about October 8, 2004.

6. As MPLA Commissioner, Hofschneider's job duties included but were not limited to the following:

a) implementing, administering, and enforcing the policies and procedures adopted by the Board

b) providing direction and leadership in the development and implementation of Board policies

c) developing short term and long term goals, objectives, and benchmarks and manages all efforts involved in meeting such goals

d) entering into contracts, agreements and other such transactions as may be beneficial to MPLA; and

e) channeling requests of the Board to the appropriate MPLA division for timely and sufficient responses and actions.

7. Hofschneider's salary was a minimum of \$80,000.00 per year.

8. Ana Demapan-Castro was Chairperson of the MPLA Board when Hofschneider worked as Commissioner.

9. A dispute erupted between Hofschneider and Demapan-Castro concerning the performance of Hofschneider's duties as MPLA Commissioner.

10. The dispute between Hofschneider and Demapan-Castro caused a disruption within MPLA.

11. Hofschneider's brother is Heinz Hofschneider.

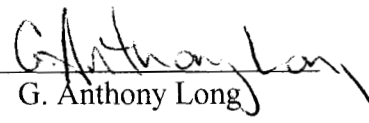
12. Heninz Hofschneider ran for Governor in the 2005 election.

13. Demapan-Castro was appointed by the incumbent Governor Juan Babauta.

14. Juan Babauta was also a candidate for re-election as Governor in the 2005 election.

- 1 15. Hofschneider and his brother were opposed to Governor Babauta.
- 2 16. Demapan-Castro terminated Hofschneider's employment as MPLA Commissioner.
- 3 17. MPLA was abolished on February 22, 2006.

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